

UTILITY CONSUMER PARTICIPATION BOARD

June 4, 2007

MINUTES

A meeting of the Utility Consumer Participation Board was held Monday, June 4, 2007 in the Ottawa Building, 4th Floor Training Room, Lansing, Michigan.

I. Call to Order

Vice Chairman Ron Rose acting as Chairman called the meeting to order at 10:48 a.m. Board members present: Ron Rose, Sister Monica Kostielney, Marc Shulman and Alexander Isaac. Members absent: Harry Trebing. Other representatives in attendance: Special Assistant to the Board Michelle Wilsey; DLEG staff LeAnn Droste; Donald Keskey, attorney for MCAAA and MEC/PIRGIM; David Shaltz, attorney for the Residential Ratepayer Consortium; John Liskey, Attorney General's office; and Elaine Tycocki, SEMCO. Motion by Kostielney, second by Shulman and motion carried to begin the meeting without the hearings reporter due to an equipment malfunction. Chairman Rose noted that Hearings Reporter Tim Sturgis was present prior to the meeting but excused himself to resolve the equipment malfunction.

II. Agenda

Shulman moved, second by Isaac and motion carried to approve the agenda with the addition of RRC grant amendments under new business.

III. Minutes

Wilsey noted the following corrections/addition to the minutes: correction of the spelling of Liskey, p.1; correction of the phrase, "Exceptions were filed to the ~~to~~-PFD", p.3; correction of the case number U-15001 to U-15002, p.3; and the addition of the standing discussion, p.3. as follows, "*Keskey explained that while the utilities had previously opposed the standing of MEC and PIRGIM in approximately 12 cases, their arguments were rejected. Rose asked Keskey if it was unusual for the utilities to attack standing in his experience. He responded that they had given up attacking them on standing in recent years. The discussion of standing continued specifically as pertains to the statutory provision of Act 304. Rose asked if their standing had been challenged in cases funded by the UCRF. Keskey replied that not all but a large number of them were. Rose noted the requirement for grantees in some cases to expend resources to defend standing in some cases. He further asked Mr. Keskey if he thought Act 304 was a remedial statute. He responded in the affirmative.*"

Hearings Reporter Tim Sturgis returned to the meeting and began recording at 10:55 a.m. Isaac moved, second by Kostielney and motion carried to approve the minutes of April 2, 2007 as corrected and with addition as presented.

IV. Correspondences

Acting Chairman Rose reported that the following correspondences were received and placed on file:

1. MEC/PIRGIM Case List dated 6/4/2007 (Keskey).
2. Compilation of AG formal opinions and Memoranda of Advice related the UCPB and UCRF (Liskey) including the following:
 - a. Opinion No. 6902 (May 22, 1996), Re: Grants from the Utility Consumer Representation Fund by the Utility Consumer Participation Board.
 - b. MOA (July 17, 1991), Re: Proposed Grant to the NCLC.
 - c. UCPB Letter to Attorney General's Office (February 12, 1998), Re: Request for Clarification regarding operation of the UCRF fund and UCPB jurisdiction.
 - d. MOA (April 28, 1998), Re: Clarification regarding operation of the UCRF fund and UCPB jurisdiction.
 - e. UCPB Letter to Attorney General (June 1, 2001), Re: Request for guidance on the question of the Board's latitude in awarding grants pursuant to 1982 PA 304 (et. seq., as amended).

- f. UCPB Letter to Dept. of Attorney General (October 18, 2001), Re: Additional background information on the request for guidance on the question of the Board's latitude in awarding grants pursuant to 1982 PA 304 (et. seq., as amended).
- g. MOA (November 8, 2001), Re: UCPB's authority to approve grants funded under 1982 PA 304.
- h. MOA (September 3, 2003), Re: Application of Open Meetings Act.
- i. MOA (September 14, 2004), Re: AARP's 2004 Utility Consumer Representation Fund Grant Proposal.
- j. MOA (September 23, 2004), Re: AARP's 2004 Utility Consumer Representation Fund Grant Proposal.
- k. MOA (June 21, 2005), Re: Grant Recipient Agreements (**ATTORNEY/CLIENT PRIVILEGE**).

Liskey noted that there was only one formal opinion and the rest are Memoranda of Advice (MOA). Acting Chair Rose commented that formal opinions are binding on all state agencies and MOA's are not binding. Liskey agreed.

- 3. Report of the Attorney General for Fiscal Year 2004-2005 Pursuant to Section 6m(21) of 1982 PA 304. (Liskey)
- 4. Report of the Attorney General for Fiscal Year 2006 Pursuant to Section 6m(21) of 1982 PA 304. (Liskey)

Wilsey asked if these were summaries/excerpts of the annual reports? Liskey said it was the list of cases the AG was involved in for each of the last two fiscal years. Rose asked if the first document (fiscal year 2004-2005) was talking about fiscal year 2005 and fiscal year 2005? Liskey responded no, October 1, 2004 to September 30, 2005. The second report is October 1, 2005 through September 30, 2006. They are labeled inconsistently but the reports are for the last two fiscal years 2005 and 2006. There are no gaps.

- 5. RRC UCRF Case status report dated June 4, 2007. (Shaltz).
- 6. RRC Request for Modification to Grant No. UCRF-06-04 dated June 4, 2007. (Shaltz).
- 7. RRC Request for Modification to Grant No. UCRF-07-01 dated June 4, 2007. (Shaltz).
- 8. Major action summary of April 2, 2007 UCPB Board meeting. (Wilsey).
- 9. Draft 2008 UCRF Grant Announcement. (Wilsey).
- 10. Draft UCPB 2006 Annual Report. (Wilsey).
- 11. UCRF Financial Report dated as of 6/1/07. (Terri Eklund, DLEG).

V. Reports

A. Grantees

1. David Shaltz discussed case status report dated June 4, 2007. Grant number UCRF 06-04 is still open. The four GCR plan cases have been settled or finished. 2005-2006 GCR reconciliation cases for MichCon, Aquila, and SEMCO remain open. The Consumers Energy Company Reconciliation Case reported is closed as reported previously. In the SEMCO case we have briefing and exceptions to the ALJ's PFD. In the MichCon and Aquila cases, we are waiting for the ALJ to issue a recommended decision that we can react to. Grant UCRF-07-01 is open. MichCon Case No. U-14800 was folded into current Case U-15042. In all cases the RRC has filed testimony already. Issues identified are highlighted in the report. Case schedule, timelines are provided in the report. It is expected that the Consumers Energy GCR Plan case will not require the full authorized budget as it is progressing well. The issues identified in the SEMCO and MGU cases appear to be ones that can be worked out with the companies without the need for full litigation. However, the MichCon case has ballooned unexpectedly, beginning with the settlement negotiations related to case U-14800 and GCR plan case at the same time the litigation track was going on. The resources invested in this case are expected to be significantly greater than anticipated when the grant application was filed. Budget adjustments will be discussed later to accommodate these developments. We are hopeful in the MichCon case of reaching a settlement because significant time has been invested in negotiations to work through the issues and still come up with a good deal for GCR customers. The last thing to note are the 2006-2007 GCR reconciliation cases. The utilities are scheduled to file those cases at the end of this month. The cases will begin in July. Copies of

complete testimony or additional information on any of the cases covered by the grant will be provided (electronically or in hard copy) upon request.

Shulman asked what Mr. Shaltz anticipated the approximate budget savings to be on the separate cases he mentioned in his report. Shaltz noted that he was constrained on some details because the settlement discussions in the cases are private and confidential. Shulman clarified that he was referring to grant budget savings, not case/settlement outcome. Shaltz responded that he will show where dollars are being shifted from case to case in the grant amendment request presentation. He noted no additional funds are being requested.

Wilsey thanked Shaltz for including the grant reference numbers in the report as requested at the last meeting. Rose expressed appreciation the extent of cooperation that is occurring between the client, Attorney General, presentation of testimony, etc. Shaltz commented that once all the positions are known the parties can evaluate how to best proceed and coordinate to avoid unnecessary costs. If you can reach a settlement that clearly addresses your clients' concerns, often it is a better way to go than litigating when you never know what the outcome may be. Rose commented that energy providers may also incur unnecessary costs flying experts into town if opposing counsel has no questions. Shaltz said that is why the counsels for the various parties are checking with each other to find out who is going to be cross-examined and who isn't. If that is known in advance, those witnesses do not have to show up. We simply bind their written testimony into the record to avoid that cost and expense. Rose commented that it is a very efficient system. Shaltz agreed that they are trying to make it as efficient as possible.

Don Keskey provided a list of cases. The first is U-13771, a generic complaint case regarding spent nuclear fuel. They are evaluating how and when they will refile the complaint. U-14274R, Consumers Power reconciliation case is the subject of a settlement that is being circulated. U-14275R, a Detroit Edison 2005 reconciliation case, has been the subject of exceptions filed by the Attorney General and is the subject of a recent ruling by the Commission. One issue in the case was the proposed exclusion of residential class of customers from a refund for pension expenses. U-14701R, 2006 reconciliation case for Consumers Energy, and U-14702R reconciliation case for Detroit Edison for 2006 are both early in the schedule. Testimony is not yet filed. U-14992 is the Consumer Power Company case involving the sale of the Palisades plant and entry into a PPA for Consumers to buy capacity energy from Entergy Nuclear Palisades LLC, for 15 years. Order issued March 27, 2007, essentially approving the transactions but also deferring many issues concerning the proceeds that would arise from the transaction to Consumers Energy's Rate Case U-15245, later filed on March 30th. The Commission provided refunds to customers of approximately \$255 million over the next 18 months. This was consistent with the position of several parties, including MEC and PIRGIM. Rose interrupted to clarify that 14992 was a really big case that came on board very quickly and a lot had to be done? Keskey replied that it is and that they had several issues like that in the case, and they have filed a rehearing petition in this case. The Commission didn't reject the SNF fees trust remedy but rather they were not going to take it up in this case. So it is an issue they would like to raise in the rate case. Keskey explained the connections to Act 304. U-15001 is Consumers Energy's 2007 PSCR plan case. Testimony is filed. U-15002 is Detroit Edison's plan case. They did not file testimony because it was similar to testimony being filed by other parties. U-15244 is Detroit Edison's Rate Case. This is not a UCRF funded case but if there are Act 304 expenses, we would come back and ask for a partial budget. Wilsey noted that neither U-15244 nor U-15245 on the UCRF case list were funded under any current grants. She asked if he was going to address that or did he intend to offer a specific proposal? He said they unexpectedly had to defend their standing in the Consumers case due to a challenge by the Company. Many issues from the Palisades U-14992 case were expressly deferred to this case. They are incurring expense without a budget. Keskey stated that he would verbally request a budget or submit an application. Rose noted that they cannot grant retroactively. Wilsey noted that there are options, such as grant amendments, or new grants, to address these developments. Rose requested DLEG opinion. Droste commented that it is stated in the grant that if we are to amend any existing grants, it has to be a written request from the grantee. Keskey agreed to provide a written proposal. MCAA grants U-14401R, MichCon's reconciliation case. They have filed briefs and are waiting for a PFD from the ALJ. Consolidated case U-14800 and U-15402 is scheduled for hearing June 7. The UCRF budget has been fully spent and they are now operating pro bono. Court of Appeals case U-13902 deals with the over reliance on national NYMEX index as the basis for setting GCR rates. The

second appeal is consolidated appeals by several parties, including MEC and PIRGIM of the Commission's Orders in the Detroit Edison combined rate case U-13808 and PSCR plan case for 2004. It has been fully argued and is awaiting decision. The appeal of U-13919 involved an issue in the 2004 PSCR case for Indiana Michigan Power. There was a recent ruling adverse to MEC/PIRGIM and they have filed for rehearing. Appeal by MEC/PIRGIM of the Consumers Energy 2004 PSCR is fully briefed and awaiting oral argument. MCAAA appeal of Commission Order in U-14403 is still pending. MEC/PIRGIM Appeal of U-14701, Consumers Energy 2005 PSCR Case deals with reimplementation of energy efficiency and integrated resource planning under Act 304. An order was issued on April 6 approving transfers in the NRC case regarding transfer of license case for Palisades and the transfer of SNF sites. FERC cases are concluded.

Shulman asked if the Board normally approves those cases on appeal that Keskey was discussing prior to them going forward? Wilsey responded that it appeared to be required by the grant but in her short association with the Board it had not been the practice. Shulman asked that in lieu of the auditor general's report and accountability, perhaps this should be reviewed. He used the example of energy efficiency cases and appeals. Keskey defended the energy efficiency case and issues applicable under Act 304. Wilsey noted the grant section that addressed the requirement. Shulman noted that this will probably be a point of discussion when we talk about the grant process for next year.

Wilsey requested that Keskey provide an amended case list with UCRF grant reference numbers included. Rose commented that he had missed the language regarding appeals. He raised concerns that the meeting schedule may preclude filing in some cases, simply due to timing. However, filing is an inexpensive matter to get started. The appeal would then be reported at the next meeting. Shultz commented that it is possible to file a claim of appeal – a notice that you intend to appeal. It is inexpensive and does not require a full blown brief or statement of issues. There would be plenty of time to then bring a proposal to the Board that lays out the merits and allows them to make a decision on funding. Kostielney commented that an umbrella is an aid for procedural practice. She questioned why would you go into any case win it or appeal? Shultz commented that one of the factors for analyzing whether to pursue an appeal is the way the Court has handled similar issues in the past. In Michigan we have courts that give extremely high deference to the judgments of the Commission. So part of the calculus in figuring out whether you have got a shot at successfully appealing is whether you can frame the issue for the Court in a way that it will be interested in looking at it. So parties asking for funding should present a persuasive analysis of why they think the Court will be interested in this particular issue instead of deferring to the expertise of the Commission in these matters. Keskey noted that there are many cases they do not appeal even though they feel like they have been wronged. The list of appeals accumulates over a period of years because of the time it takes for an appeal to be processed. They have won some key decisions on appeal. The Commission should not always be the final decision-maker. You have to appeal in order to maintain credibility. Sometimes when you lose, you still win something – some portion of the appeal becomes relevant later. Wilsey commented that those would be the merits that would be brought to the board to support funding. These appeals are not strictly funded through UCRF. Only those matters requiring UCRF funding would require review. Rose noted that the mechanism should allow the grantee, based on their professional assessment, to preserve the appeal without advance approval of the Board and that the Board will be responsible for those reasonable expenses. And at its next meeting we will then undertake review of the proposal for appeal and authorize continued expenditure or not. He also observed that the Board is not the client, it is the funding source. Shultz noted that there is a line item on the grant application budget for court fees and filing fees. A dollar amount could be placed there to cover the potential claim(s) of appeal. The grantee could then proceed and bring a complete proposal to the Board regarding the full costs/merits of appeal. Rose noted he is comfortable with that. It balances flexibility and accountability. It's a viable mechanism. Kostielney commented that she thought it was a good idea. It is important to allow the counsel to exercise judgment in their clients' interest on these matters. We do not want to micromanage every case. Rose asked for DLEG's opinion on taking out the Board approval language for appeals and that the grant budgets should show a budget item for filing an appeal and a corresponding dollar amount. Droste asked if he was referring to just the filing fee or all expenditures incurred after? Rose replied - just the filing fee. The Board would then have to amend the grant to provide funds to cover the appeal. Droste said she understood the issue to be not the filing fee itself, but the expenditures incurred for the appeal of the case.

There is no need to change any language. If they include the filing fee in the grant application budget and it is approved, the Board already will have authorized the expenditure for filing. And then they would have to come before you at a subsequent meeting and ask for additional funds to be spent to conduct the appeal. Keskey noted some situations that would not work with the process. He urged the Board to recognize in the budgets that there are funds in there for the necessary follow through to preserve your issue through to the filing of an application at the Supreme Court. Rose noted that that issue can be addressed in the request for funding of the appeal. Keskey asked about existing appeals. Rose indicated the Board would do its best to respond in a timely manner – including the possibility of a special meeting.

Rose returned to the issue of making the contract retroactive on the Consumers Energy Rate case due to the fact that the PSC had decided to defer issues from a case funded under the UCRF grant to a new case. Should the Order date become the effective date for the budget for the new case? The Commission created the need by its action in the Order. It is essentially the same case. Wilsey noted that the Board met and Mr. Keskey was aware of the development but failed to act. Isaac noted that the Board did not fail to act because there was no proposal. There are reasonable protocols for amending the grant and it wasn't done. Changes could be made for the future but it was clear what needed to be done at the last meeting and it wasn't. An amendment could be produced now as Sister Monica recommended for going forward. Isaac noted the Board has to proceed carefully to remedy the situation. He requested that Mr. Keskey modify his report to include the case, party involved, and a brief discussion. If the report was changed from horizontal to vertical and note if there is a possibility that there is a decision pending, the Board would be more prepared to make amendments or modifications.

B. Attorney General – No report.

C. Financial – Droste referenced the financial report provided by the finance staff.

D. Administrative – Droste discussed the Keskey appeal of final payment on a grant. The outstanding issue is the filing of the final report. Droste asked for clarification on whether a final report would be submitted for this particular grant so that final payment of the remaining funds could be issued. Keskey noted the February 5th report was the final report but he will give a supplement to the final report but the cases still go on. Keskey stated that he thinks the question of appeal is moot. Shulman asked Keskey if there was an appeal. Keskey said no, its moot. Rose noted that there is no longer a need for the Attorney General and DLEG to provide a memo to the Board privileged under attorney work product and attorney/client privilege regarding the matter. Liskey commented that it was his feeling that she was acting within her authority.

Rose called for a short recess.

The meeting resumed with Rose, Shulman, and Isaac. Wilsey and Tycocki noted they had to leave soon. Tycocki was recognized by the Acting Chair for comment on the issue of appeals. She noted that if the Board is going to approve grant money for an appeal it would be a good idea to post it on the agenda that comes out ahead of time so anybody who wants to speak to the issue can be present at the meeting. She further commented that it was important to keep in mind that 1) Act 304 money comes from ratepayers, not utility profits and 2) Act 304 is dedicated to looking at the cost of purchased energy issues. She was concerned that at times the discussion seemed to be moving a bit afield of that. She urged the Board to keep that in mind when spending ratepayer's money.

Rose acknowledged the need to include notice of appeals on the agenda. Isaac questioned how that would be handled in special cases requiring special meetings? Liskey noted it would remain subject to the Open Meetings Act. Even a conference call would require a public room where a member of the public could come and participate. Liskey noted that in addition to posting email and hard copies of the agendas, the annual schedule would soon be posted on the website.

VI. Old Business

Keskey appeal was resolved.

Wilsey presented a copy of the 2008 grant announcement for the Board's information. The deadline for application requests and final applications was shifted back to 1) move the submission closer to the appropriation process, and 2) to allow more time for the responses. The deadline does allow

submission of the grant requests approved at the meeting to be considered by the Administrative Board in September. Isaac asked if applications were being sent out on a large scale as was done a few years ago? Wilsey responded they were not mailing notices to all of the local government units as had been done, with no effect, a few years ago. The grant notice was sent via email to several people including current and past grantees and others who have expressed interest in the past. It also was sent to various energy attorneys with expertise in the field. Finally, it would be posted to the DLEG/UCRF web site.

Shulman discussed legislative review of the Board's function and concerns raised in the auditor general's report. He would like the grant review process to be improved. Shulman moved, second by Isaac that the Board authorize the formation of a subcommittee consisting of Wilsey, DLEG (possibly Robin), and a Member of the Board to put together a plan and report back to the Commission in two weeks with recommendations for handling the grant review process. Kostielney noted that significant administrative improvements had been made to the grant documents. Shulman emphasized it was for purposes of tracking, budgeting, etc. prior to going forward with the next grant cycle. Kostielney asked for clarification about what accountability was he most concerned with. Shulman responded in terms of umbrella versus more specific accounting. Shultz explained that last year, the Board changed its procedures to require that for every single proceeding there be a separate authorized budget for that particular case. Wilsey noted that additional compliance with existing requirements will address many of the concerns expressed. The Board needs to enforce the requirements through the application process. Wilsey noted the 2008 Notice of Grant Availability is already distributed and some applications sent out. It would be difficult to change the structure this late in the grant cycle but we can enforce what is here.

Tycocki commented that it seemed less an issue of the application process than of tracking and validating two issues that came up in the audit report – duplications in grants between UCRF and the Attorney General's office and savings reported to the legislature in the annual report. If you are going to have a subcommittee look at those things, you probably want someone from the attorney general's office and the utilities.

Isaac commented that the Board hired an Assistant to help the Board work on these issues. They are being addressed. The grantees can make some recommended corrections and improvements. He does not think a subcommittee is needed at this time. Shulman commented that he offered the idea of a subcommittee to formalize the process a bit and to make sure that the Board gets timely recommendations if needed. Wilsey suggested the Board allow changes to take effect, monitor progress and consider additional steps as deficiencies are noted.

Shulman withdrew his motion.

Isaac noted that the Board has attempted to act on concerns raised in the discussion since 2003. It was 2006 before the Board was permitted to move forward in hiring support to address these issues. Rose noted that in the two years he has been on the Board, significant changes have been implemented to improve procedures and accountability. The Auditor General's report did not really look into what the Board had put into effect since the last grant cycle. The Board naturally wants to comply with the Auditor General and use their findings to improve the function of the Board and the UCRF grants.

Kostielney asked if receipt of the Annual Report from the UCPB has been acknowledged? Wilsey said she did not receive any formal acknowledgement of receipt following submission. Droste said that because it's required by statute, she didn't believe the Department's receive acknowledgement. It's expected that they be filed due to statutory requirement. Wilsey said she would check into it. Kostielney felt a copy of the report should be sent to all legislators, particularly Messrs. Dillon and Bishop. Isaac asked if the report could be posted to the web site and notices or letters sent to interested parties. Wilsey responded affirmatively. Robin has been adding information regularly to the web site.

VII. New Business

Wilsey recommended the Board change the August meeting date or add an additional meeting to accommodate the grant cycle review process. Rose proposed changing the regular meeting date from August 6 to August 27. All agreed. Rose reminded grantees to be sure to include budget breakdowns by case to avoid delays in approving grants.

Shultz reviewed the purpose and detail of the requested grant amendments. Rose moved, second by Kostielney and motion carried to approve RRC Grant UCRF-06-04 Amendment Request dated June 4, 2007 to shift 25 hours from the expert witness budget line item to the legal personnel budget line item

with total authorized budget unchanged. Isaac moved, second by Kostielney and motion carried to approve RRC Grant UCRF-07-01 Amendment Request dated June 4, 2007 to shift expert witness hours and legal personnel hours from the Consumers Energy Company, SEMCO Energy Gas Company and Michigan Gas Utilities Company 2007-2008 GCR Plan cases to the 2007-2008 GCR Plan case of Michigan Consolidated Gas Company with total authorized budget unchanged.

Wilsey presented a draft of the 2006 UCRF Annual Report to the Board for their review and comment. Shaltz commented that two items mentioned in the meeting should be highlighted in the annual report. The first was duplication of effort between the AG and the grantee. He noted that the Board did take steps in the grant agreements last year to make sure that the grantees get a sign off from the AG that they have communicated and addressed that problem. The second is cost savings. This is carefully documented but he would be happy to provide additional citations or information to support claims or to change reporting format to accommodate any suggestions. Wilsey said she feels the critique is more in regard to the Board independently verifying the information rather than the grantees reporting. All of the cases are electronically filed in an open docket. All of the results are posted for assessment and public scrutiny. Isaac suggested putting in the footnotes provided by grantees. Wilsey responded that they are put in verbatim. Instruction on where to access the information to validate the claims could be added to the annual report.

Rose moved and motion carried to acknowledge receipt of the 2007 Auditor General Report for the Utility Consumer Participation Board.

Rose moved, second by Isaac and motion carried to extend the contract of Michelle Wilsey as Special Assistant to the Board for 12 months (October 1, 2007-September 30, 2008). Kostielney asked if there was consideration for the adjustment of compensation? Wilsey responded that she was not requesting additional compensation at this time. Kostielney said it should be considered as a matter of justice. Rose recommended that Trebing investigate the matter and report back to the Board at the next meeting. Rose also requested that each Board Member receive a copy of the signed contract. Droste asked if he meant the existing contract? He responded yes. Kostielney asked if the Executive Directives apply to contract employees? Droste said that at present, the Governor has issued Executive Directives that require approval of any contract, regardless of dollar amount. They expire on September 30, 2007 but may be implemented again for 2008. Kostielney questioned the Board's jurisdiction over UCRF funds. They are still subject to restrictions.

Board appointments have not been announced yet.

VIII. Public Comment

Liskey noted that some of the grants expire on September 30th so grantees should think about extensions. Extension requests can be handled directly with DLEG with a letter to Ms. Droste.

IX. Next Meeting

The next meeting is scheduled August 27, 2007, 10:00 a.m., Ottawa Building, 4th Floor Training Room

X. Adjournment

The meeting adjourned at 2:18 p.m.

Note: Full transcripts of this meeting are available upon request.